

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT****(Under 37 CFR 1.97(b) or 1.97(c))**Docket No.  
14418In Re Application Of: **Benjamin Eithan Reubinoff, et al.**

JUL 30 2004

Application No.

Filing Date

Examiner

Customer No.

Group Art Unit

Confirmation No.

09/808,382

March 14, 2001

Deborah Crouch

23389

1632

1139

Title: **EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM**

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);**OR**☐ the fee set forth in 37 CFR 1.17(p).

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**EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM****Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

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**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on <b>7/28/2004</b> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Signature of Person Mailing Correspondence _____
Edward W. Grolz
Typed or Printed Name of Person Mailing Certificate _____

\*This certificate may only be used if paying by deposit account

Dated: July 28, 2004

Edward W. Grolz  
Registration No.: 33,705  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, NY 11530  
(516) 742-4343

cc:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Benjamin Eithan Reubinoff, et al.

**Examiner:** Deborah Crouch

**Serial No.:** 09/808,382

**Art Unit:** 1632

**Filed:** March 14, 2001

**Docket:** 14418

**For:** EMBRYONIC STEM CELLS  
AND NEURAL PROGENITOR  
CELLS DERIVED THEREFROM

**Date:** July 28, 2004

**Confirmation No.:** 1139

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

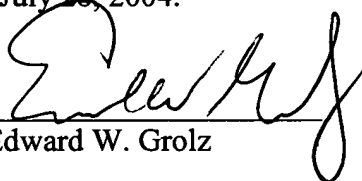
In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the references,  
listed on the attached Form PTO-1449, be made of record in the above-identified case.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 28, 2004.

Dated: July 28, 2004

  
Edward W. Grolz

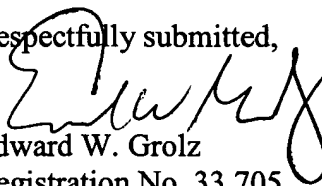
The references were cited in a Supplementary Partial Search Report dated April 29, 2004 received from the European Patent Office. Applicants are submitting copies of the cited references, together with a copy of the Search Report. The relevance of the references has been described in the Search Report.

The Search Report also cites T. Mujtaba, et al. and Li, et al., which were submitted in an Information Disclosure Statement dated April 29, 2004. Therefore, these two references are not included in the attached Form PTO-1449.

Further, since certification pursuant to 37 C.F.R. §1.97(c) and (e) the information presented in this Information Disclosure Statement was first cited in a communication from the European Patent Office in connection with a corresponding European application not more than three months prior to the filing of this statement is enclosed herewith, no fee under 37 C.F.R. §1.197(c) is required.

Consideration of this Information Disclosure Statement is respectfully requested, since the art provided may be material to the examination of the present application as defined under 37 C.F.R. §1.56.

Respectfully submitted,



Edward W. Grolz  
Registration No. 33,705

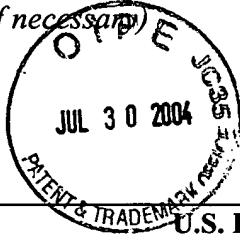
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EWG/XZ:ng

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(REV. 7-80) PATENT AND TRADEMARK OFFICE

**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

**Atty. Docket No. (Optional)**

14418

**Application Number**

09/808,382

**Applicant(s)**

Benjamin Eithan Reubinoff, et al.

**Filing Date**

March 14, 2001

**Group Art Unit**

1632

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA						

**FOREIGN PATENT DOCUMENTS**

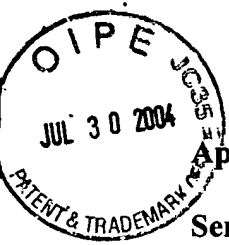
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

	1.	R.A. Pedersen, "Studies of <i>in vitro</i> Differentiation with Embryonic Stem Cells", <u>Reprod. Fertil. Dev.</u> , Vol. 6, pp. 543-552, (1994)
	2.	P.D. Rathjen, et al., "Properties and Uses of Embryonic Stem Cells: Prospects for Application to Human Biology and Gene Therapy", <u>Reprod. Fertil. Dev.</u> , Vol. 10, pp. 31-47, (1998)

**EXAMINER****DATE CONSIDERED**

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Benjamin Eithan Reubinoff, et al.

**Examiner:** Deborah Crouch

**Serial No.:** 09/808,382

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Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT PURSUANT  
TO 37 C.F.R. § 1.97(c)(1) and (e)(1)**

Sir:

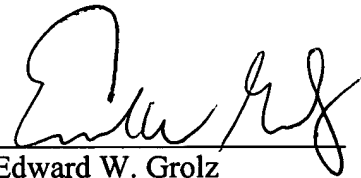
I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from the European Patent Office in connection with the subject applications counterpart European application not more than three months prior to the filing of this statement.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

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Dated: July 28, 2004

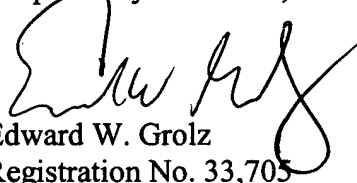
  
Edward W. Grolz



Accordingly, it is respectfully requested that the accompanying Information

Disclosure Statement be considered with respect to the above-identified application.

Respectfully submitted,



Edward W. Grolz

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